

May 18, 2012

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

Re: *Ex Parte* Presentation, ET Docket No. 08-59  
Amendment of the Commission's Rules to Provide Spectrum for the  
Operation of Medical Body Area Networks

Dear Ms. Dortch,

On May 18, 2012, the following representatives met with Angela Giancarlo, Chief of Staff and Senior Legal Advisor to Commissioner McDowell, to discuss issues related to the above-referenced proceeding. Philips Healthcare: Delroy Smith, Principal Scientist; Paul Coss, Director Marketing, Emergency Care; & David Siddall, counsel; GE Healthcare: Ari Fitzgerald, counsel; Aerospace and Flight Test Radio Coordinating Council (AFTRCC): by phone: Joe Cramer, Boeing; Tom Fagan, Raytheon; and Chip Yorkgitis, counsel to Raytheon; Dan Hankins, Cessna and AFTRCC Chairman; Wayne Maynard, Lockheed Martin; present: Ken Keane, counsel to AFTRCC; American Society for Healthcare Engineering of the American Hospital Association (ASHE): Mark Gibson, Comsearch; & Tim Cooney, counsel.

The parties expressed their appreciation for the leading role that Commissioner McDowell has played in supporting new and innovative uses of the spectrum, and MBAN in particular. The details of the spectrum sharing arrangement negotiated by the parties were discussed in general terms, noting that our understanding is that the joint proposal negotiated by the parties and submitted to the Commission has been revised in a number of respects, but that the revisions were undertaken with an eye toward preserving the parties' intent as reflected in the joint proposal. The text of the rules proposed by the staff will not be available until adoption and release, so while the nature of the changes described to us indicates that the proposed rules appear to allow for an effective technologically-based sharing arrangement between primary aeronautical telemetry and secondary Medical Body Area Networks, the parties are not in a position to offer any definitive views until reviewing the text when released

Philips expressed concern that the uncertainty introduced by the spectrum coordinator appointment process will delay introduction in hospitals of complete wireless MBAN systems, and requested that the Commission articulate in the Report and Order and Further Notice a clear self-imposed deadline for appointment(s) of no later than May 1 (or June 1) 2013, which is adequate to complete the process. Doing so would provide everyone involved specific expectations and facilitate funding of the activities necessary before these new systems can be introduced.

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AFTRCC called attention to the support and approval of the Department of Defense to allow spectrum sharing in what has long been a Restricted band extensively used by industry and Government for flight test telemetry operations.

A view also was expressed by certain of the participants that the technological means of enforcing secondary status developed by the parties to this proceeding might prove useful in other spectrum proceedings where the prevention of interference from a prospective secondary user is at issue.

Respectfully Submitted,

/s/

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cc: Angela Giancarlo